

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:	:	Chapter 11
	:	
ERBO PROPERTIES LLC, <i>et al.</i>	:	Case No.: 23-10210 (LGB)
	:	
Debtors.	:	(Jointly Administered)
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**ORDER AUTHORIZING RETENTION OF TARTER
KRINSKY & DROGIN LLP AS GENERAL BANKRUPTCY COUNSEL TO
DEBTORS AND DEBTORS-IN-POSSESSION**

Upon the application dated February 28, 2023 (the “Application”) of Erbo Properties LLC, Kova 521, LLC and Gold Mezz LLC, debtors and debtors-in-possession (the “Debtors”) to retain Tarter Krinsky & Drogin LLP as general bankruptcy counsel to the Debtors; and upon the declaration of Scott S. Markowitz, Esq., dated March 6, 2023 (the “Markowitz Decl.”); and upon the declaration of Erno Bodek to comply with the United States Trustee Fee Guidelines for larger Chapter 11 cases, duly sworn to on February 28, 2023 (the “Bodek Decl.”); and upon the Erno Bodek’s Lar Dan Declaration, dated February 28, 2023; and upon the supplemental affirmation of Scott S. Markowitz in support of the Application dated March 30, 2023 [ECF No. 48]; and after due deliberation; and it appearing that sufficient notice was provided in accordance with the Federal Rules of Bankruptcy Procedure and the Local Rules; and it appearing that the firm of Tarter Krinsky & Drogin LLP represents no interest adverse to the Debtors as debtors-in-possession herein, or to their estates; and Tarter Krinsky & Drogin LLP is a disinterested person as that term is defined in §101(14) of the Bankruptcy Code; and that the Debtors’ employment of Tarter Krinsky & Drogin LLP is necessary and would be in the best interests of Debtors’ estates; it is hereby

ORDERED that the Application is granted to the extent provided herein; and it is further

ORDERED that the Debtors be and hereby are authorized to retain and employ Tarter Krinsky & Drogin LLP as attorneys to represent them in the within proceedings pursuant to §§327, 328 and 1107 of the Bankruptcy Code, effective as of the filing date of the Debtors' Chapter 11 cases; and it is further

ORDERED that to the extent the Application or any other document is inconsistent with this Order, the terms of this Order shall govern; and it is further

ORDERED that, notwithstanding any provision to the contrary in the Application or the engagement letter between the Debtors and Tarter Krinsky & Drogin LLP, the Court shall retain jurisdiction to hear and to determine all matters arising from or related to implementation of this Order; and it is further

ORDERED that Tarter Krinsky & Drogin LLP shall be compensated for fees and reimbursed for reasonable and necessary expenses and will file interim and final fee applications for allowance of its compensation and expenses in accordance with sections 330 and 331 of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Rules, the United States Trustee Fee Guidelines and any order establishing procedures for monthly compensation and reimbursement of expenses of professionals; and it is further

ORDERED that ten business days' notice must be provided by Tarter Krinsky & Drogin LLP to the Debtors, the United States Trustee and any official committee prior to any increases in the rates set forth in the Markowitz Decl. that was filed with the Application, and such notice must be filed with the Court; and it is further

ORDERED that, notwithstanding anything to the contrary in the engagement letter, Tarter Krinsky & Drogin LLP shall not withdraw as Debtors' counsel prior to the effective date of any Chapter 11 plan confirmed in these Chapter 11 cases without prior approval of the Court in accordance with Local Bankruptcy Rule 2090-1(e).

Dated: New York, New York
March 30th, 2023

/s/ Lisa G. Beckerman
HONORABLE LISA G. BECKERMAN
UNITED STATES BANKRUPTCY JUDGE